

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

EDWIN ORTIZ,	)	CASE NO. 1:09-cv-2166
	)	
Plaintiff,	)	
	)	
v.	)	MAGISTRATE JUDGE VECCHIARELLI
	)	
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security	)	
	)	
Defendant.	)	<b><u>MEMORANDUM OPINION &amp; ORDER</u></b> Doc. No. 21

This case is before the Magistrate Judge upon consent of the parties. Plaintiff, Edwin Ortiz, and Defendant, Michael Astrue, the Commissioner of Social Security, by their respective counsel, stipulate to an award of attorney fees in the sum of \$1,937.50 in full satisfaction and settlement of any and all claims Plaintiff may have in this matter pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. The award of attorney fees will fully satisfy all of Plaintiff's claims for fees, costs, and expenses under EAJA for counsel's work before the Court in this case. Any fees paid belong to Plaintiff and can be offset to satisfy pre-existing debt that Plaintiff owes the United States,

pursuant to the decision in *Astrue v. Ratliff*, \_\_\_ U.S. \_\_\_, 130 S. Ct. 2521, 2524 (2010).

The Court finds the requested and stipulated fees and expenses in the amount of \$1,937.50 to be reasonable and appropriate.

After the Court enters this award, if counsel for the parties can verify that Plaintiff owes no pre-existing debt to the United States that is subject to offset, Defendant has agreed to direct that the award be made payable to Plaintiff's attorney pursuant to the EAJA assignment duly signed by Plaintiff and counsel.

For the reasons given above and upon the terms specified in the stipulation, the Court awards \$1,937.50 in attorney fees pursuant to EAJA in this case.

**IT IS SO ORDERED.**

s/ Nancy A. Vecchiarelli  
Nancy A. Vecchiarelli  
U.S. Magistrate Judge

Date: October 19, 2010